IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE M. H. S. ANSARI

and

THE HON'BLE SRI JUSTICE T.CH.SURYA RAO

WRIT PETITION NO : 20959 of 2004

Between:

M/s. KCP Builders, 3/308, YMR Colony, Proddatur-Kadapa District, A.P.
A Firm rep by Partner Sri K. Anil Kumar

... PETITIONER

AND

1. The Executive Engineer Public Health Division, Gooti Road, Opp Birla Company Kurnool, Kurnool District, A.P.,
2. The Regional Vigilance and Enforcement Officer,
Government of Andhra Pradesh, Ashoknagar,
Kurnool, Kurnool District, A.P.,
3. The Commercial Tax Officer-II, Proddatur, Kadapa District, A.P.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or Direction more particularly in the nature of Mandamus declaring the action of the Second Respondent in directing the First Respondent vide his proceedings in
RC. No. 295/C/2004, dated 30-10-2004 to deduct a further sum
of Rs.5,85,190-00 from the bills of the petitioner, as illegal and contrary tot he provisions of the A.P. General Sales Tax Act, 1957, read with
Rules 17-I of the A.P General Sales Tax Rules, 1957

Counsel for the Petitioner: MR. G. NARENDRA CHETTY

Counsel for the 1st respondent: GP FOR MEDICAL & HEALTH

Counsel for the 2nd respondent: MR.K.RAJI REDDY, SPL.S.C FOR C.T

Counsel for the 3rd respondent: GP FOR COMMERCIAL TAX

The Court made the following:

ORDER:(per Hon'ble Sri Justice M. H. S. Ansari)

Keeping in view the interim order of this Court dated 17-11-2004 whereby it was directed the respondents to release the amount due to the petitioner as per law, without following the directions of the second respondent vide his proceedings dated 30-10-2004 and also keeping in view the representation made at the Bar that as the order has been complied with, nothing survives for consideration in the instant writ petition. The same is accordingly closed with the observations as above. There shall be no order as to costs.

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M. H. S. ANSARI, J

_____

T. CH. SURYA RAO, J

Dt.17-01-2005

Glv

Copy to:

1. The Executive Engineer Public Health Division, Gooti Road,
Opp. Birla Company Kurnool, Kurnool District, A.P.,
2. The Regional Vigilance and Enforcement Officer,
Government of Andhra Pradesh, Ashoknagar,
Kurnool, Kurnool District, A.P.,
3. The Commercial Tax Officer-II, Proddatur, Kadapa District, A.P.,

4. Two CCs to G.P for Medical &Health, High Court Buildings,

Hyderabad. (OUT)

5. Two CCs to G.P for Commercial Tax, High Court Buildings, Hyderabad. (OUT)

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